

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

HECTOR GONZALEZ,

Defendant.

**ORDER**

11 Cr. 718 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

On October 15, 2020, Hector Gonzalez filed a pro se motion for compassionate release pursuant to 18 U.S. C. § 3582(c). (Def. Mot. (Dkt. No. 56) at 1) Absent from Gonzalez's motion is an account of his efforts to exhaust his administrative remedies. A page appears to be missing from Gonzalez's submission. (Id. at 2-3) The Government contends that Gonzalez has not exhausted his administrative remedies, and urges this Court to deny his application on this ground. (Dkt. No. 60) Accordingly, by **January 15, 2021**, Gonzalez will submit a letter clarifying the steps he has taken to exhaust his administrative remedies.

Gonzalez is incarcerated at Rivers Correctional Institute ("CI Rivers"), a private prison under contract with the Bureau of Prisons ("BOP"). The Government is directed to submit a letter by **January 15, 2021** addressing: (1) whether 18 U.S.C. §3582(c) applies to inmates held in non-BOP facilities; (2) whether such inmates are required under Section 3582(c) to exhaust the administrative remedies available at their non-BOP facility; (3) what administrative remedies the Government contends were available to Gonzalez at CI Rivers and which he did not exhaust; (4) what standards a non-BOP facility such as CI Rivers applies in resolving a compassionate release application; and (5) what role, if any, BOP plays in resolving a

compassionate release application filed by an inmate being held in a non-BOP facility.

Chambers will mail a copy of this Order to the pro se inmate.

Dated: New York, New York  
January 2, 2021

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first letter "P" is large and loops around. The "G" is also large and loops. The "A" is small and loops. The "R" is tall and loops. The "D" is small and loops. The "E" is small and loops. The "P" is small and loops. The "H" is small and loops. The "E" is small and loops.

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Paul G. Gardephe  
United States District Judge